

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DANTE GOODEN, GILBERT MORALES, and  
NYKKO GRAY,

Plaintiffs,

-against-

ADOPTION ORDER  
19-CV-0297 (JS) (SIL)

NUZZOLESE BROS ICE CORPORATION, VNLI  
CONSULTANCY CORP., and VINCENT NUZZOLESE,

Defendants.

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APPEARANCES

For Plaintiffs: Thomas Daniel Barra, Esq.  
Barra & Associates, PLLC  
401 Broadway, Suite 806  
New York, New York 10013

For Defendants: Desiree Mia Gargano, Esq.  
Douglas E. Rowe, Esq.  
Certilman Balin Adler & Hyman, LLP  
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East Meadow, New York 11554

SEYBERT, District Judge:

Plaintiffs Dante Gooden, Gilbert Morales, and Nykko Gray ("Plaintiffs") commenced this action against Nuzzolese Bros Ice Corporation, VNLI Consultancy Corp., and Vincent Nuzzolese ("Defendants"), for violations of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §§ 201, et seq., and the New York Labor Law ("NYLL"), N.Y. Lab. Law §§ 190, et seq. (See Compl., ECF No. 1.) On October 22, 2021, Magistrate Judge Steven I. Locke issued a sua sponte Report and Recommendation ("R&R") recommending that the Court dismiss this action pursuant to Federal Rule of Civil

Procedure 41(b) for failure to prosecute and comply with Court orders. On October 25, 2021, Defendants served the R&R on Plaintiffs. (Cert. Serv., ECF No. 27.)

The time to object has expired and no objections to the R&R have been filed. Upon careful review and consideration, the Court finds Judge Locke's R&R to be comprehensive, well-reasoned, and free of clear error. Accordingly, the Court ADOPTS the R&R (ECF No. 26) in its entirety.

The Clerk of the Court is respectfully directed to enter judgment accordingly and mark this case CLOSED.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: November 19, 2021  
Central Islip, New York